IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties, that the above-captioned action is dismissed with prejudice and without costs or attorney's fees to any party.

New York, New York June <u>35</u>, 2008

YERMAN & ASSOCIATES Attorneys for Pelitioner

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SO ORDERED;

For Hon. Lewis A. Kaplans idaes H. Stein United States District Judge

By Hon. Sydney H. Stein, Part I

Dated: 6/2/2/08

New York, New York June 25, 2008

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